

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD,
SAN DIEGO REGION**

**ADDENDUM NO. 3 TO
INVESTIGATION ORDER NO. R9-2006-0076**

**OWNERS AND OPERATORS OF MUNICIPAL SEPARATE STORM SEWER SYSTEMS,
CALIFORNIA DEPARTMENT OF TRANSPORTATION, HALE AVENUE RESOURCE
RECOVERY FACILITY, RESPONSIBLE FOR THE DISCHARGE OF BACTERIA,
NUTRIENTS, SEDIMENT, AND TOTAL DISSOLVED
SOLIDS INTO IMPAIRED LAGOONS, ADJACENT
BEACHES, AND AGUA HEDIONDA CREEK**

The California Regional Water Quality Control Board, San Diego Region (hereinafter, San Diego Water Board) finds that:

- 1. Need for Land Elevation Data at Ocean Inlets:** Data are needed to develop Total Maximum Daily Loads (TMDLs) and their associated load and wasteload allocations and reductions for the water quality limited water body segments identified in Table 1 of Investigation Order No. R9-2006-0076 for each impairing pollutant. The San Diego Water Board intends to develop TMDLs, allocations, and reductions through modeling studies of the water quality limited lagoons and their watersheds. Land elevations across the ocean inlets to the lagoons are needed to configure accurate boundary conditions between the lagoons and the ocean in the lagoon models.
- 2. Regulatory Authority and Necessity:** Water Code Section 13267 authorizes the San Diego Water Board to require the submission of monitoring reports from any person discharging pollutants into waters of the State. Water Code Section 13383 authorizes the San Diego Water Board to establish monitoring and reporting requirements for discharges regulated under the National Pollutant Discharge Elimination System. Reporting of land elevation data will ensure accurate boundary configuration of the ocean inlets in the models of the lagoons as described in finding 1. The modeling studies are part of an overall water quality investigation to assess the conditions of pollution in the lagoons and develop TMDLs for the lagoons. These actions will result in the restoration and protection of water quality necessary to support the designated beneficial uses of these waterbodies. The cost to produce a bathymetry survey of all of Famosa Slough was approximately \$3,700. Surveying a cross-section of land elevations at an ocean inlet should cost significantly less, since it is a survey of a single, two dimensional cross-section, as opposed to a three dimensional survey of an entire lagoon. The associated costs of surveying cross-sections of the ocean inlets of

the lagoons bear a reasonable relationship to the need for the actions, specifically the protection of water quality and beneficial uses.

3. **California Environmental Quality Act:** This action is an order to enforce the laws and regulations administered by the San Diego Water Board. As such, this action is categorically exempt from the provisions of the California Environmental Quality Act pursuant to section 15308 of the Public Resources Code.

IT IS HEREBY ORDERED, pursuant to sections 13267 and 13383 of the Water Code that:

C. Ocean Inlet Land Elevation Data

C1. Elevation Data Requirements

The dischargers identified in Attachment 1, Second Revision, to Addendum No. 2 to Investigation Order No. R9-2006-0076 shall submit a cross-section showing the land elevations of the ocean inlet to each lagoon identified in Attachment 1, Second Revision. The cross-sections of the ocean inlets (except for Los Penasquitos Lagoon and Buena Vista Lagoon) shall be surveyed immediately prior to the start of the first index monitoring period described in the Monitoring Program Workplan titled "*San Diego Coastal Lagoons TMDL Monitoring Workplan*" dated June 18, 2007 (Attachment 2 to Addendum No. 2 to Investigation Order No. R9-2006-0076). The number of points to be surveyed along the cross-section shall be adequate to describe the width, depth, and shape of the inlet and its banks. The cross-section shall be surveyed at the location along the length of the inlet where the bottom of the inlet is at its highest elevation. If a beach berm has closed the inlet, the cross-section shall be surveyed at the location where the beach berm is at its highest elevation.

If the width, depth, or shape of the inlet and its banks changes significantly¹ prior to the start of any subsequent index monitoring period, the cross-section of the inlet shall be resurveyed before the subsequent index monitoring period commences. The cross-section shall be resurveyed at the same location along the length of the inlet that was previously surveyed.

Surveys of the ocean inlet at Los Penasquitos Lagoon shall be conducted in the same manner as above. However, the initial survey shall be conducted within three weeks of the beginning of the continuous monitoring period (October 1 – March 31), rather than immediately prior to the first index monitoring period. Subsequent surveys shall be conducted during the continuous monitoring period following each storm event that results in a significant change to the width, depth, or shape of the inlet and its banks. Since Buena Vista Lagoon is never open to tidal exchange, the ocean inlet for this lagoon does not need to be surveyed.

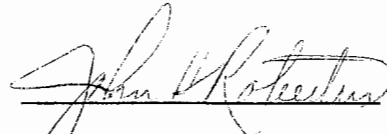
¹ Significant changes include opening of the ocean inlet due to storm events, opening of the ocean inlet by mechanical means, and other clearly visible alterations of the ocean inlet's width, depth, or shape, as determined by best professional judgment.

C2. Elevation Data Submittal

The cross-sections of the ocean inlets shall be submitted as part of the corresponding data reports required by directive 4 of Addendum No. 2 to Investigation Order No. R9-2006-0076.

C3. Contractor/Consultant Qualifications

All survey submittals shall be signed by and stamped with the seal of a California professional land surveyor. The surveys shall be conducted according to the standards of practice of professional land surveyors in California.

A handwritten signature in black ink, appearing to read "John H. Robertus", is written over a horizontal line.

JOHN. H. ROBERTUS
Executive Officer

Date Issued: October 5, 2007